

LOCAL RULE 7.1 CERTIFICATION

I, Mark A. Berthiaume, hereby certify that I have conferred with counsel for Plaintiffs who is expecting this motion based on communications with counsel and a stipulation on file with the Court concerning the briefing schedule regarding same, and consequently, the parties have not been able to resolve or narrow the issues involved in this motion.

Dated: January 10, 2007

/s/ Mark A. Berthiaume
Mark A. Berthiaume

Respectfully submitted,

/s/ Mark A. Berthiaume
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Dated: January 10, 2007

CERTIFICATE OF SERVICE

I, Edward E. Hale, Jr., hereby certify that on January 10, 2007, a true copy of the foregoing document was filed through the ECF system and served electronically upon registered ECF participants as identified on the Notice of Electronic Filing, and I further certify that paper copies of the foregoing document will be sent to counsel of record not registered with ECF on January 10, 2007.

/s/ Edward E. Hale, Jr.
Edward E. Hale, Jr.